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Attorneys for Defendant  
Microsoft Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANTONIO MEDINA,

Plaintiff,

v.

MICROSOFT CORPORATION, et al.,

Defendants.

Case No. 3:14-cv-00143-RS

**STIPULATION TO CONTINUE CASE  
DEADLINES AND [~~PROPOSED~~] ORDER**

WHEREAS, Dr. Medina filed a Second Amended Complaint (“SAC”) with this Court’s approval and pursuant to a stipulation of the parties on June 18, 2014, asserting causes of action for patent infringement, unfair competition and business practices;

WHEREAS Microsoft responded to the Second Amended Complaint by filing a motion to dismiss Dr. Medina’s claims under § 17200 and § 17043 of the Cal. Bus. & Prof. Code on July 14, 2014;

WHEREAS the Court granted Microsoft’s motion on August 26, 2014, granting Dr. Medina leave to amend the complaint within thirty days (by or before September 25, 2014);

WHEREAS Microsoft’s deadline for responding to Dr. Medina’s patent infringement claim falls on September 9, 2014;

STIPULATION TO CONTINUE CASE DEADLINES  
AND [PROPOSED] ORDER  
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1 WHEREAS Dr. Medina has represented to Microsoft that he intends to file a third  
2 amended complaint including claims for patent infringement as well as amended unfair business  
3 practices claims;

4 WHEREAS Microsoft's answer to the patent count in the SAC will be moot if Dr. Medina  
5 files a third amended complaint;

6 WHEREAS the parties desire to minimize unnecessary pleadings practice;

7 NOW, THEREFORE, subject to the Court's approval, the parties Stipulate and Agree as  
8 follows:

- 9 1. If Dr. Medina files a Third Amended Complaint by September 25, 2014, Microsoft's  
10 responsive pleading will be due on October 16, 2014. Microsoft will not be required  
11 to respond to the patent count in the Second Amended Complaint as that count will be  
12 moot.
- 13 2. If Dr. Medina does not file a Third Amended Complaint by September 25, 2014,  
14 Microsoft shall file its Answer or Answer and Counterclaim to the patent count in the  
15 Second Amended Complaint by October 16, 2014.

16  
17 DATED: September 4, 2014

By: 

Antonio Medina

Plaintiff

Antonio Medina

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19  
20 DATED: September 4, 2014

PERKINS COIE LLP

By: /s/ Judith B. Jennison

Judith B. Jennison

Attorneys for Defendant  
Microsoft Corporation

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STIPULATION TO CONTINUE CASE DEADLINES  
AND [PROPOSED] ORDER  
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**PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, AND  
WITH GOOD CAUSE APPEARING, IT IS ORDERED THAT:**

1. If Dr. Medina files a Third Amended Complaint by September 25, 2014, Microsoft's responsive pleading will be due on October 16, 2014. Microsoft will not be required to respond to the patent count in the Second Amended Complaint as that count will be moot.
2. If Dr. Medina does not file a Third Amended Complaint by September 25, 2014, Microsoft shall file its Answer or Answer and Counterclaim to the patent count in the Second Amended Complaint by October 16, 2014.

DATED: 9/5, 2014



THE HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE